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10/671,342	09/25/2003	Gary S. Godwin	57665/03-396	7067
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FELLERS SNIDER BLANKENSHIP BAILEY & TIPPENS THE KENNEDY BUILDING 321 SOUTH BOSTON SUITE 800 TULSA, OK 74103-3318			AYRES, TIMOTHY MICHAEL	
			ART UNIT	PAPER NUMBER
			3637	

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/671,342

Applicant(s)

GODWIN, GARY S.

Examiner

Timothy M. Ayres

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 07 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11, 12, 14, 15 and 17-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11, 12, 14, 15, and 17- 31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is a second and final office action on the merits of application SN 10/671,342.

#### ***Claim Objections***

1. Claim 15 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 15 recites the same limitations as in lines 7-8 of claim 11 (a support engaging a second end of the support arm to stabilize the support arm in the working position).

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. The term "may be" in lines 9 and 14 renders the claim indefinite since it is unclear whether the counterweight is actually offset from a longitudinal axis of the support arm.

***Claim Rejections - 35 USC § 103***

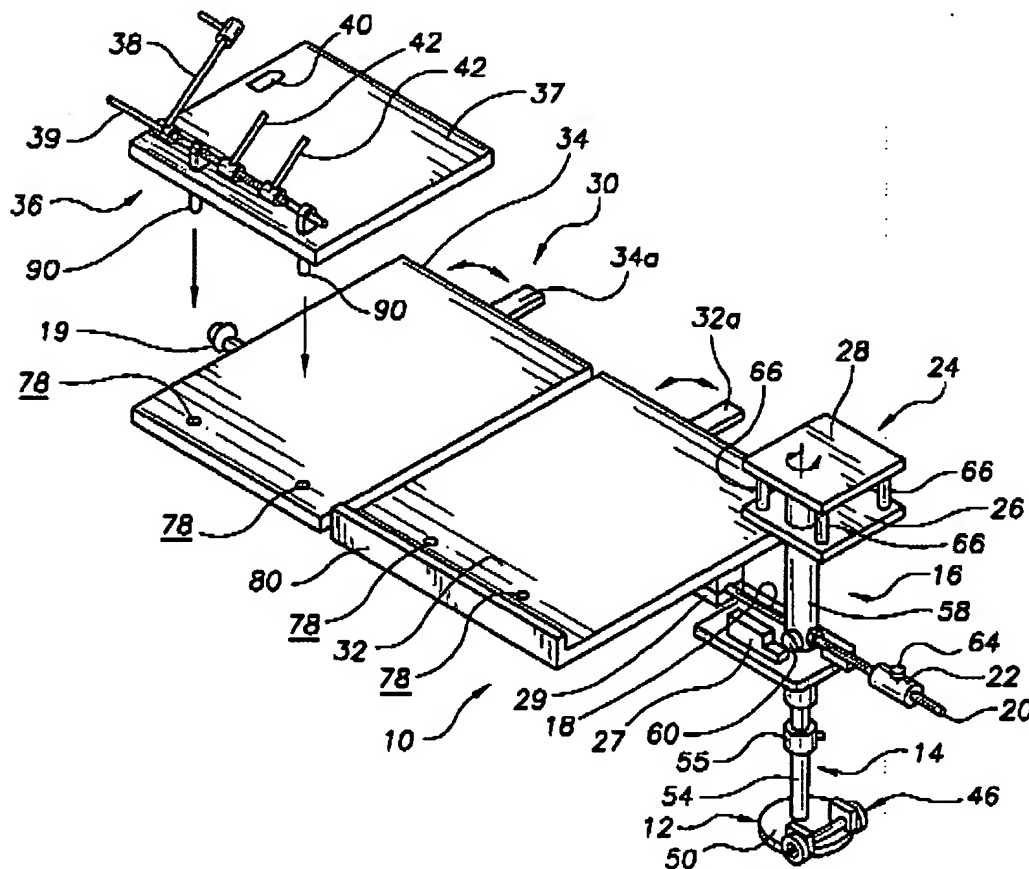
5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 1, 5-9, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,027,093 to Reiher in view of US Patent 6,702,373 to Rossko. Reiher '093 discloses a workstation (10) that comprises a base (12). A riser (14) extending upwardly from the base. A support arm (18) pivotally connected to the riser (14), the support arm (18) having a first section on a first side towards end (20) of the riser (14) and a second section on a second side towards end (19) of the riser (14). A table (30) affixed to the second section of said support arm (18). A counter weight (22) affixed to the first section of said support arm (18). Wherein the counterweight (22) allows for the support arm (18) to be easily pivoted from a work position to a second position. The support arm (18) is rotates around the riser (14) in the horizontal plane (col. 4, line 21-24). The riser (14) is adapted to be adjustable with respect to height (col. 1, line 63). The table (30) is pivotally mounted on the support arm (18) (col. 4, line 4-6). The table (30) defines a plurality of retaining members (42) for affixing selected computer components to the table (30). The second position of the support arm (18) allows for a user to have unobstructed ingress to and egress from a human support device since the second position can be at an angle of 90 degrees or farther from the work position. The table (30) is adapted to be positioned to provide a work area for a user who is in a

Art Unit: 3637

substantially reclined position, wherein the table (30) permits the user to support the user's elbows on a human support device such as a bed while accessing the work area (col. 1, line 53-62).

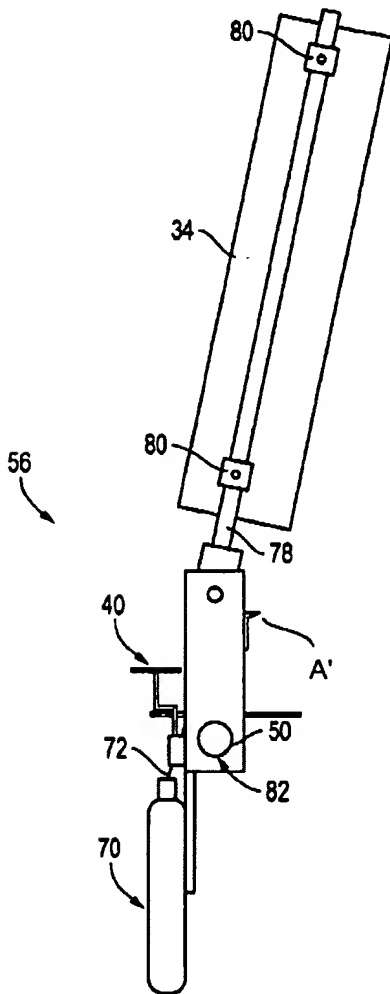


Reiher '093 Figure 1

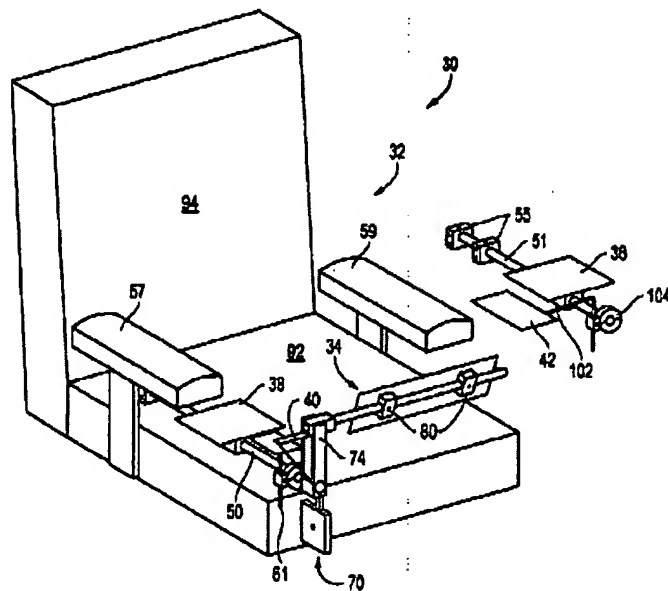
7. Reiher does not disclose expressly a support affixed to the riser for stabilizing the support arm when the arm is in the work position, wherein the second position of the support is substantial vertical due to a vertical pivot, and the counter weight is pivotal attached. Rossko '373 discloses a work station (30) with a pivot system (56) that is

Art Unit: 3637

attached to a chair (32). As best shown in marked up figure 5 below, a support (A') is affixed to a riser (74) for stabilizing the support arm (78) when the support arm (78) is in the work position (Fig. 1). The support arm (78) is substantially vertical when in the second position as shown in figure 5. A counter weight (70) is pivotally affixed to the support arm via a cable (72).



Rossko '373 Figure 5



Rokkko '373 Figure 1

Art Unit: 3637

8. The examiner considers the phrase "may be selectively offset" to say that the counter weight does not have to be offset since the selectively offset is not positively recited and is not offset at all times. At the time of the invention it would have been obvious for a person of ordinary skill in the art to combine the work station of Reiher and add the pivot system of Rossko so that the controls can be adjusted in all three axis (Rossko, col. 2, lines 44-46).

9. Regarding claim 28, At the time of the invention it would have been obvious for a person of ordinary skill in the art to take the structure of Reiher and attach the cable of the counter weight of Rossko to the first section of the arm since they are art recognized equivalents.

10. Claim 1 and 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,712,008 to Habenicht in view of US Patent 6,702,373 to Rossko and US Patent 6,027,093 to Reiher. Habenicht '008 discloses a workstation (10) with a base (11,12,13) that extends beneath a human support device (46). A riser (21) extends upwardly from the base. Connected to the riser (21) is a support arm (29) with tables (37,45) pivotally attached. A monitor (47) is securely attached to table (45) (Col. 5, lines 21-26). The support arm (29) is adjustable in height and each table as adjustable arms to allow for an ergonomic work position (Col. 5, lines 27-35).

11. Habeniocht '008 does not disclose expressly the support arm being substantially vertical in the second position due to a vertical pivot and the support arm with a first and second section with a counter weight attached to the first section.

Art Unit: 3637

12. Rossko '373 discloses a work station (30) with a pivot system (56) that is attached to a chair (32). A support (A') is affixed to a riser (74) for stabilizing the support arm (78) when the support arm (78) is in the work position as shown in marked up figure 5. The support arm (78) is substantially vertical when in the second position as shown in figure 5. A counter weight (70) is attached to the support arm.

13. At the time of the invention it would have been obvious for a person of ordinary skill in the art to combine the work station of Habenicht and add the pivot system of Rossko to the riser of Habenicht so that the controls can be adjusted in all three axis and allow for a better ingress and egress (Rossko, col. 2, line 44-46).

14. Neither Rossko nor Habenicht disclose the counter weight being attached to a first section of the support arm.

15. Reiher discloses a counter weight (22) affixed to the first section of said support arm (18). Wherein the counterweight (22) allows for the support arm (18) to be easily pivoted from a work position to a second position. At the time of the invention it would have been obvious for a person of ordinary skill in the art to take the structure of Habenicht in view of Rossko and extend the arm with a counter weight as is taught by Reiher since they are art recognized equivalents.

16. Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,712,008 to Habenicht in view of US Patent 6,702,373 to Rossko and US Patent

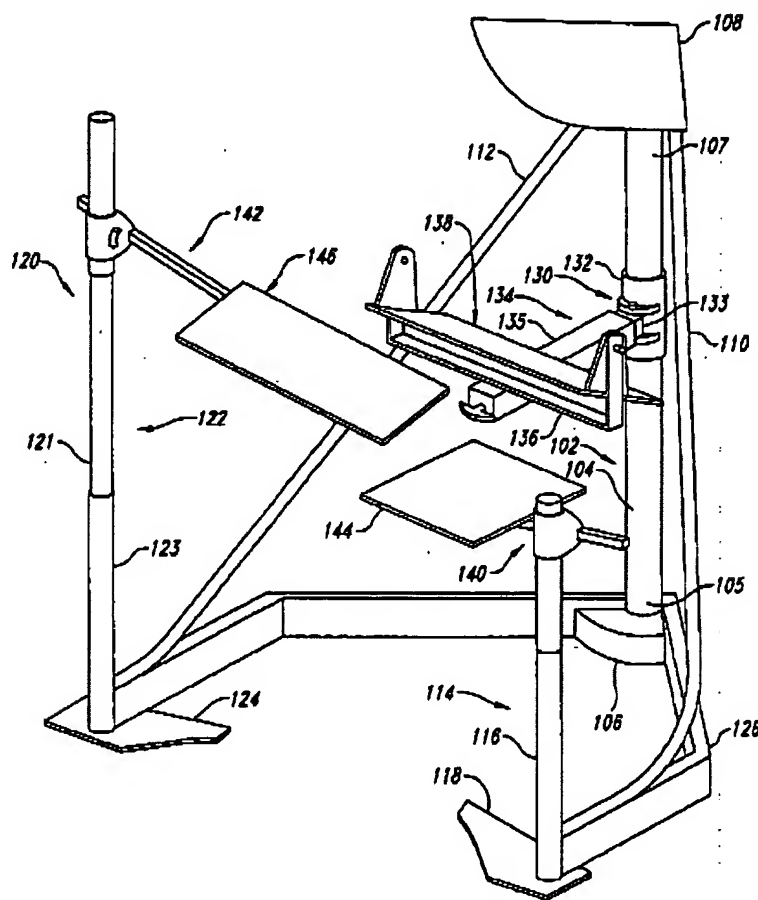


Art Unit: 3637

6,027,093 to Reiher as applied to claim 2 above, and further in view of US Patent

Publication 2004/0025754 to Dye.

17. Habenicht in view of Reiher and Rossko disclose every element as claimed and discussed above except components in communication with both ends of the base. Dye '754 discloses a work station (100) with a base (126) with flanges (118,124) that extend beneath a human support device. Components (146,123) in communication with a first end (124) of the base and components (116,144) in communication with a second end (118) of the base.

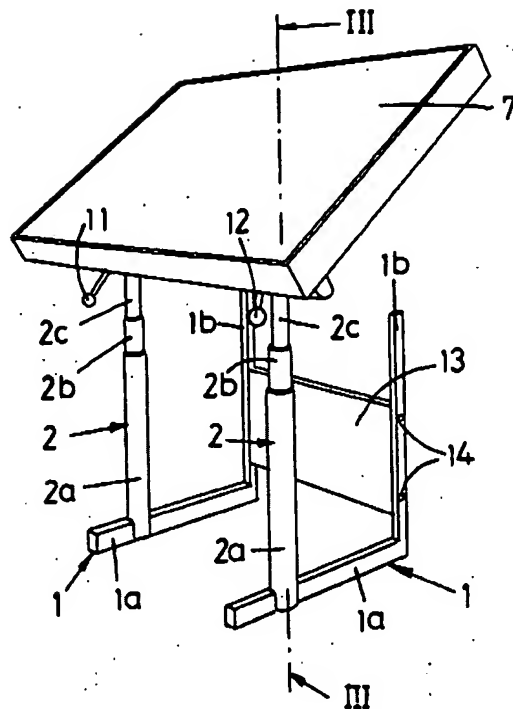


Dye '754 Figure 1

18. At the time of the invention it would have been obvious for a person of ordinary skill in the art to add components of Dye to the base of Habenicht in view of Reiher and Rossko to provide multiple work surfaces (Dye '754, col. 1, paragraph 2, line 3).

19. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,712,008 to Habenicht in view of US Patent 6,702,373 to Rossko and US Patent 6,027,093 to Reiher as applied to claim 2 above, and further in view of US Patent 4,099,469 to Sahli. Habenicht in view of Rossko and Reiher disclose every element as claimed and discussed above except a support for engaging a second end of the support arm when in the work position.

20. Sahli '469 discloses a workstation with a table top (7) pivotally attached to risers (2). Attached to the risers (2) are supports (1) which are used to support the table top (7) when the table top (7) is in the working position.



Sahli '469 Figure 1

21. At the time of the invention it would have been obvious for a person of ordinary skill in the art to take the structure of Habenicht in view of Rossko and Reiher and use the teaching of Sahli to attach a support to the base leg (12) so that the support arm has improved stability when in the working position (Sahli, col. 1, line 64-65).

22. Regarding claim 29, At the time of invention it would have been obvious for a person of ordinary skill in the art to use a telescoping member in the base legs (12,13) since it is well known to use telescoping mechanisms to allow for adjustability of frames.

Art Unit: 3637

23. Claim 11, 12, 15, 17, 18, 19, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,712,008 to Habenicht in view of US Patent 6,027,093 to Reiher and US Patent 6,425,631 to Lin. Habenicht '008 discloses a workstation (10) with a base (11,12,13) that extends beneath a human support device (46). A riser (21) extends upwardly from the base. Connected to the riser (21) is a support arm (29) with tables (37,45) pivotally attached. A monitor (47) is securely attached to table by retaining members such as straps (Col. 5, lines 21-26). The support arm (29) is adjustable in height and each table as adjustable arms to allow for an ergonomic work position (Col. 5, lines 27-35).

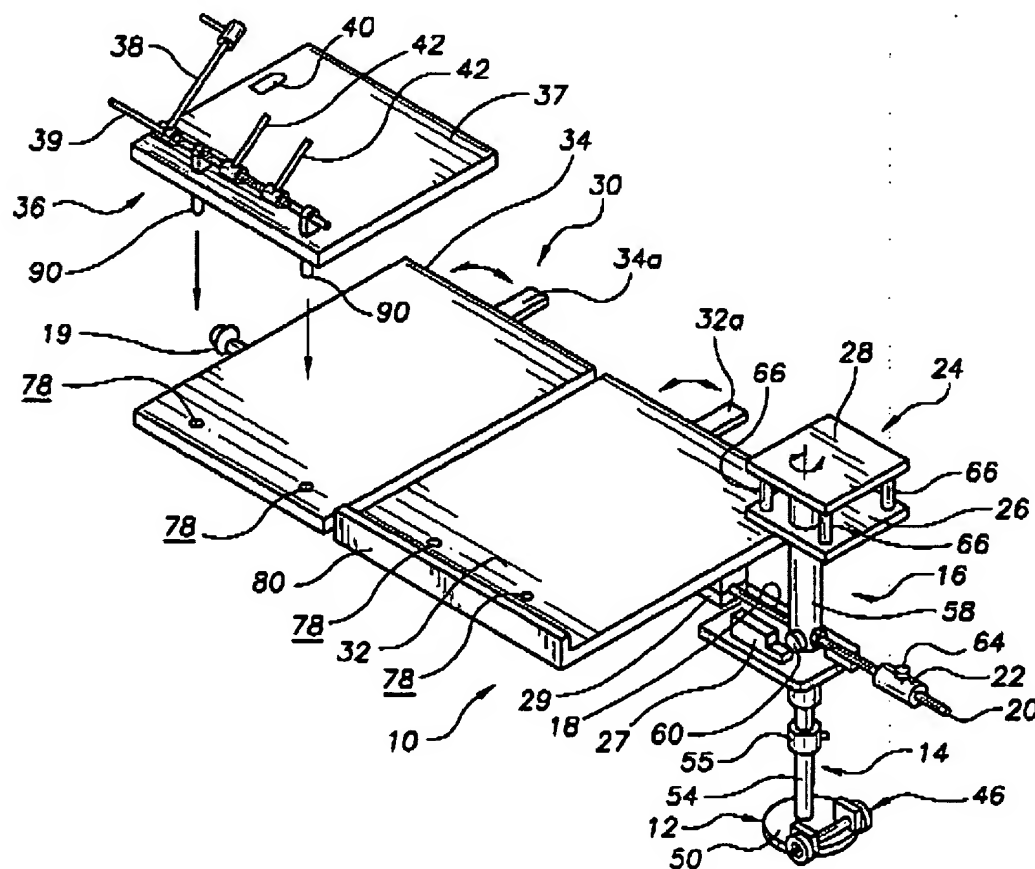
24. Habenicht does not disclose expressly the support arm pivotally connected to the riser, a support for engaging a second end of the support arm, a counter weight attached to a first section of the support arm while a second section is on the second side of the riser, and the riser being adapted to be adjustable with respect to height.

25. Reiher '093 discloses a workstation (10) that comprises a base (12). A riser (14) extending upwardly from the base. A support arm (18) pivotally connected to the riser (14), the support arm (18) having a first section on a first side towards end (20) of the riser (14) and a second section on a second side towards end (19) of the riser (14). A table (30) affixed to the second section of said support arm (18). A counter weight (22) affixed to the first section of said support arm (18). Wherein the counterweight (22) allows for the support arm (18) to be easily pivoted from a work position to a second position. The support arm (18) is rotated around the riser (14) in the horizontal plane (col. 4, line 21-24). The riser (14) is adapted to be adjustable with respect to height (col.

Art Unit: 3637

1, line 63). The table (30) is pivotally mounted on the support arm (18) (col. 4, line 4-6).

The table (30) defines a plurality of retaining members (42) for affixing selected computer components to the table (30). The second position of the support arm (18) allows for a user to have unobstructed ingress to and egress from a human support device since the second position can be at an angle of 90 degrees or farther from the work position. The table (30) is adapted to be positioned to provide a work area for a user who is in a substantially reclined position, wherein the table (30) permits the user to support the user's elbows on a human support device such as a bed while accessing the work area (col. 1, line 53-62).



Reiher '093 Figure 1

At the time of the invention it would have been obvious for a person of ordinary skill in the art to take the structure of Habenicht and substitute in the pivoting riser and support arm structure of Reiher so that multiple surfaces can be used while still allowing ingress and egress.

26. Neither Reiher nor Habenicht discloses a support for engaging a second end of the support arm.

27. Lin '631 discloses a workstation that is pivotally attached to a human support device (10). At the second end of a support arm (22) is a support that is part of the u-shaped member (2) that extends to casters to stabilize the support arm (22) as it is pivotally connected to pivot shaft (11).

28. At the time of the invention it would have been obvious for a person of ordinary skill in the art to take the structure of Habenicht in view of Reiher and add a support as taught by Lin so that the work surfaces can receive more and heavier items.

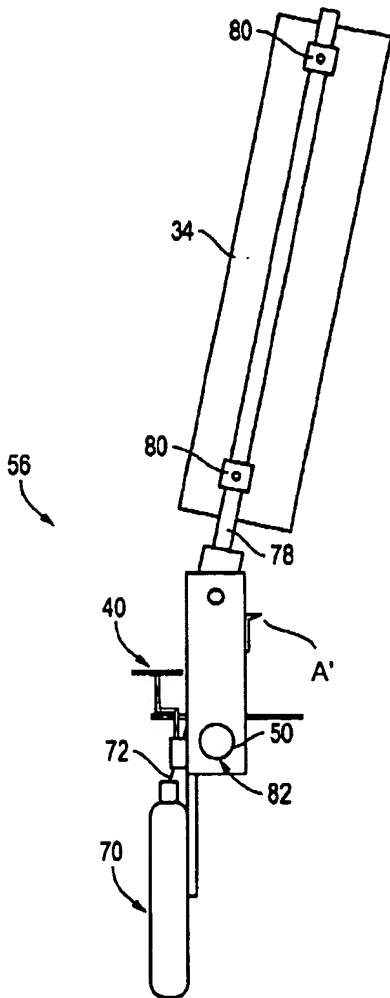
29. Regarding claim 30, At the time of invention it would have been obvious for a person of ordinary skill in the art to use a telescoping member in the base legs (12,13) since it is well known to use telescoping mechanisms to allow for adjustability of frames.

30. Claim 11,15, 18, 19 ,20 ,and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,712,008 to Habenicht in view of US Patent 6,702,373 to

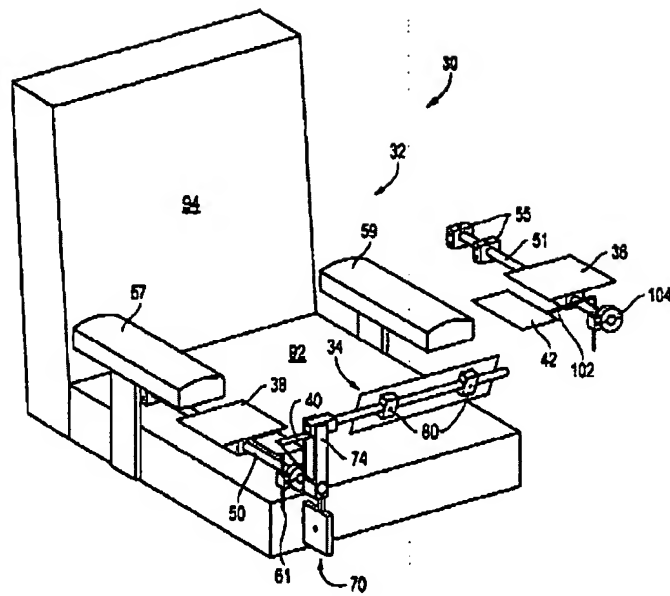
Rossko and US Patent 4,099,469 to Sahli. Habenicht '008 discloses a workstation (10) with a base (11,12,13) that extends beneath a human support device (46). A riser (21) extends upwardly from the base. Connected to the riser (21) is a support arm (29) with tables (37,45) pivotally attached. A monitor (47) is securely attached to table (45) (Col. 5, lines 21-26). The support arm (29) is adjustable in height and each table as adjustable arms to allow for an ergonomic work position (Col. 5, lines 27-35).

31. Habeniocht '008 does not disclose expressly a support for engaging a second end of the support arm and the support arm being substantially vertical in the second position.

32. Rossko '373 discloses a work station (30) with a pivot system (56) that is attached to a chair (32). A support (A') is affixed to a riser (74) for stabilizing the support arm (78) when the support arm (78) is in the work position as shown in marked up figure 5 below. The support arm (78) is substantially vertical when in the second position as shown in figure 5.



Rossko '373 Figure 5



Rokko '373 Figure 1

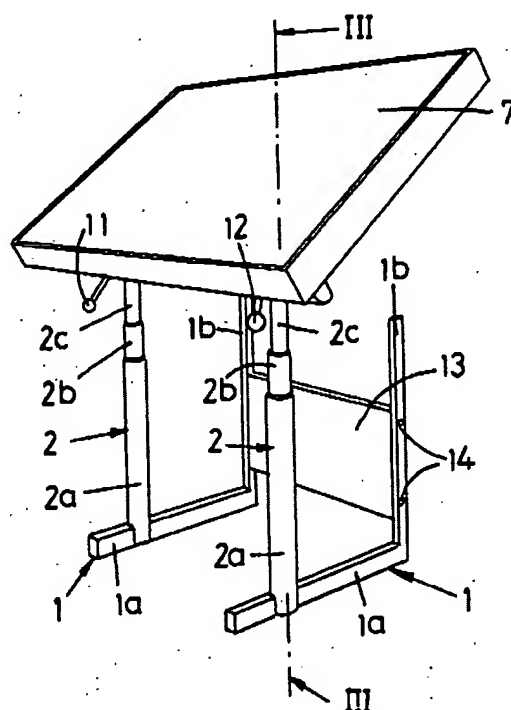
33. At the time of the invention it would have been obvious for a person of ordinary skill in the art to combine the work station of Habenicht and add the pivot system of Rossko to the riser of Habenicht so that the controls can be adjusted in all three axis and allow for a better ingress and egress (Rossko, col. 2, line 44-46).

34. Neither Rossko nor Habenicht disclose a support for engaging a second end of the support arm when in the work position.



Art Unit: 3637

35. Sahli '469 discloses a workstation with a table top (7) pivotally attached to risers (2). Attached to the risers (2) are supports (1) which are used to support the table top (7) when the table top (7) is in the working position.

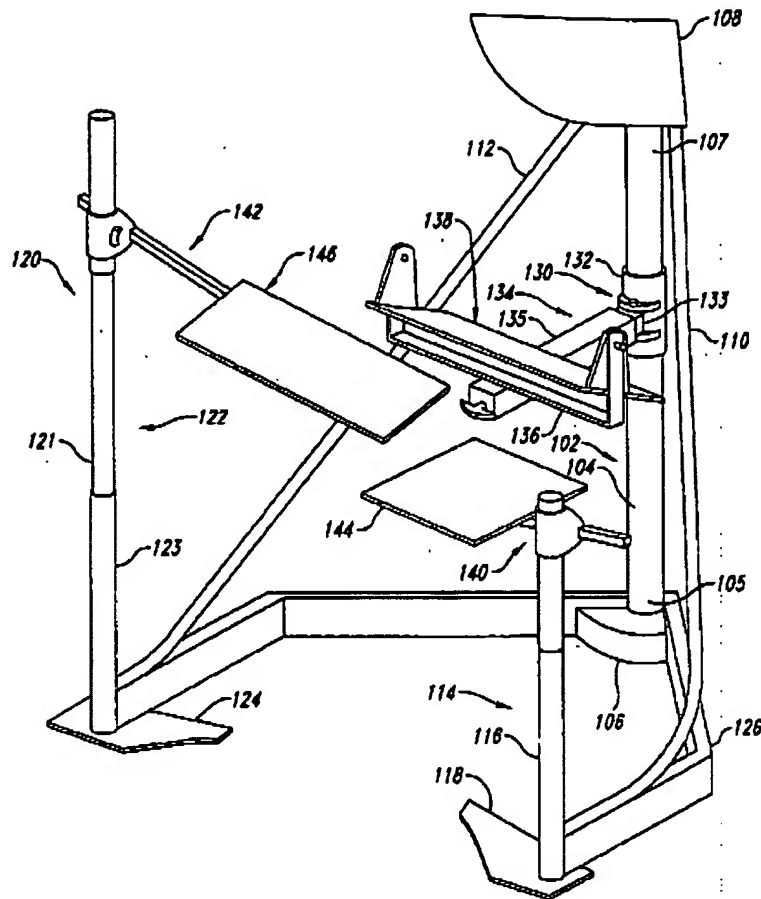


Sahli '469 Figure 1

36. At the time of the invention it would have been obvious for a person of ordinary skill in the art to take the structure of Habenicht in view of Rossko and use the teaching of Sahli to attach a support to the base leg (12) so that the support arm has improved stability when in the working position (Sahli, col. 1, line 64-65).

37. Regarding claim 30, At the time of invention it would have been obvious for a person of ordinary skill in the art to use a telescoping member in the base legs (12,13) since it is well known to use telescoping mechanisms to allow for adjustability of frames.

38. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,712,008 to Habenicht in view of US Patent 6,027,093 to Reiher and US Patent 6,425,631 to Lin as applied to claim 11 above, and further in view of US Patent Publication 2004/0025754 to Dye. Habenicht in view of Reiher and Lin disclose every element as claimed and discussed above except components in communication with both ends of the base. Dye '754 discloses a work station (100) with a base (126) with flanges (118,124) that extend beneath a human support device. Components (146,123) in communication with a first end (124) of the base and components (116,144) in communication with a second end (118) of the base.



Dye '754 Figure 1

39. At the time of the invention it would have been obvious for a person of ordinary skill in the art to add components of Dye to the base of Habenicht in view of Reiher and Lin to provide multiple work surfaces (Dye '754, col. 1, paragraph 2, line 3).

40. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,712,008 to Habenicht in view of US Patent 6,702,373 to Rossko and US

Art Unit: 3637

Patent 4,099,469 to Sahli as applied to claim 11 above, and further in view of US Patent Publication 2004/0025754 to Dye. Habenicht in view of Rossko and Sahli disclose every element as claimed and discussed above except components in communication with both ends of the base. Dye '754 discloses a work station (100) with a base (126) with flanges (118,124) that extend beneath a human support device. Components (146,123) in communication with a first end (124) of the base and components (116,144) in communication with a second end (118) of the base.

41. At the time of the invention it would have been obvious for a person of ordinary skill in the art to add the componets of Dye to the base of Habenicht in view of Rossko and Sahli to provide multiple work surfaces (Dye '754, col. 1, paragraph 2, line 3).

42. Claim 21, 23, 24, 26, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,712,008 to Habenicht in view of US Patent 6,702,373 to Rossko. Habenicht '008 discloses a workstation (10) with a base (11,12,13) that extends beneath a human support device (46). A riser (21) extends upwardly form the base. Connected to the riser (21) is a support arm (29) with tables (37,45) pivotally attached. A monitor (47) is securely attached to table by retaining members (45) (Col. 5, lines 21-26). The support arm (29) is adjustable in height and each table as adjustable arms to allow for an ergonomic work position (Col. 5, lines 27-35). Habenicht '008 discloses a workstation (10) with a base (11,12,13) that extends beneath a human support device (46). A riser (21) extends upwardly form the base. Connected to the riser

Art Unit: 3637

(21) is a support arm (29) with tables (37,45) pivotally attached. A monitor (47) is securely attached to table (45) (Col. 5, lines 21-26). The support arm (29) is adjustable in height and each table as adjustable arms to allow for an ergonomic work position (Col. 5, lines 27-35).

43. Habenicht '008 does not disclose expressly the support arm being substantially vertical in the second position.

44. Rosko '373 discloses a work station (30) with a pivot system (56) that is attached to a chair (32). A support (A') is affixed to a riser (74) for stabilizing the support arm (78) when the support arm (78) is in the work position as shown in figure 1. The support arm (78) is substantially vertical when in the second position as shown in figure 5.

45. At the time of the invention it would have been obvious for a person of ordinary skill in the art to combine the work station of Habenicht and add the pivot system of Rosko to the riser of Habenicht so that the controls can be adjusted in all three axis and allow for a better ingress and egress (Rosko, col. 2, line 44-46).

46. Regarding claim 31, At the time of invention it would have been obvious for a person of ordinary skill in the art to use a telescoping member in the base legs (12,13) since it is well known to use telescoping mechanisms to allow for adjustability of frames.

47. Claim 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,712,008 to Habenicht in view of US Patent 6,702,373 to Rosko as applied to

Art Unit: 3637

claim 21 above, and further in view of US Patent 5,630,566 to Case. Habenicht in view of Rossko discloses every element as claimed and discussed above except the keyboard and monitor retained on the table when the table is pivoted vertically. Case '566 discloses a portable ergonomic work station (10), which comprises a riser (12). A support arm (28) extends from the riser (12). At the end (32) of the support arm (28) is a screen support means (34). A computer monitor (36) is supported by the screen support means (34). The connection means (30,31,32) allow adjusting of the support arm to an advantageous viewing position for the user (col. 5, line 8-13). Keyboard support means (24) hold the keyboard (26) and mouse attachment means (270) permit the mouse (268) to be moved yet remain attached to the vertically oriented mouse pad (266). At the time of the invention it would have been obvious for a person of ordinary skill in the art to take the workstation of Habenicht in view of Rossko and use the teaching of Case to attach a keyboard and mouse to allow for efficient and comfortable movement of a disabled individual.

48. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,712,008 to Habenicht in view of US Patent 6,702,373 to Rossko as applied to claim 21 above, and further in view of US Patent 6,027,093 to Reiher. Habenicht in view of Rossko discloses every element as claimed and discussed above except the counter weight attached to a first section of the support arm. Reiher discloses a counter weight (22) affixed to the first section of said support arm (18). Wherein the counterweight (22)

Art Unit: 3637

allows for the support arm (18) to be easily pivoted from a work position to a second position. At the time of the invention it would have been obvious for a person of ordinary skill in the art to take the structure of Habenicht in view of Rossko and extend the arm with a counter weight as is taught by Reiher since they are art recognized equivalents.

49. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,702,373 to Rossko in view of US Patent 6,027,093 to Reiher. Rossko '373 discloses a work station (30) with a pivot system (56) that is attached to a human support device (32). A support (A') is affixed to a riser (74) for stabilizing the support arm (78) when the support arm (78) is in the work position as shown in figure 1. The support arm (78) is substantially vertical when in the second position as shown in figure 5 which allows for ingress and egress of the human support device (32). Rossko does not expressly disclose the counter weight attached to a first section of the support arm. Reiher discloses a counter weight (22) affixed to the first section of said support arm (18). Wherein the counterweight (22) allows for the support arm (18) to be easily pivoted from a work position to a second position. At the time of the invention it would have been obvious for a person of ordinary skill in the art to take the structure of Habenicht in view of Rossko and extend the arm with a counter weight as is taught by Reiher since they are art recognized equivalents.

***Response to Arguments***

50. Applicant's arguments with respect to the claims have been considered but are moot in view of the amendments and the new ground(s) of rejection. Favorable consideration will be given if the counter weight being selectively offset is positively recited along with the structure that makes this possible.

***Conclusion***

51. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Ayres whose telephone number is (571) 272-8299. The examiner can normally be reached on MON-THU 8:00 - 5:00.



Art Unit: 3637

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TMA  
12/12/05



LANNA MAI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

